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Subject: Summary of Phone Conversation with NYSDEC Wetlands Office Regarding Site 01 at NWIRP-Calverton

Background: On Janaury 19, 2000 the Nancy Kuntzleman (NORTHDIV Wetlands expert) and Todd Bober had a phone conversation with Steve Lorence(Wetlands Manager for NYSDEC) regarding the proposed slope stabilization project at the Northeast disposal area at NWIRP-Calverton.. The Navy explained that we had mentioned the project to Stan Farkas and Jeff McCullough but that we hadn't sent out a document yet. During the phonecon, Steve stated that he had been out to the site before and was aware of the condition of the site. The Navy stated that we were concerned about the continued erosion of potentially contaminated soils from the slope of the landfill face as well as safety issues regarding the sinkholes.

Steve asked about what contaminants were in the sediment, landfill, and groundwater. The Navy read to him the levels that were in the CMS but stressed that we believe the primary contamination pathway is from soil erosion of the face of the landfill.

Then following summarizes NYSDEC's position regarding this project as it relates to the wetlands:

1. NYSDEC does NOT want the Navy to fill in the wetlands
2. NYSDEC stated that according to Article 24 of the Wetlands Law, all alternatives must be fully explored before filling in wetlands. Steve stated that it appeared that the Navy had already filled in a great deal of wetlands by creating the landfill.
3. NYSDEC's preferred alternative would be to cut back the existing slope to a safe grade thereby maintaining the existing wetlands boundary at the toe. Steve stated that they would support the Navy in removing contaminated sediments.
4. NYSDEC would want all construction to occur from the landward side(ie no equipment in the wetlands)
5. NYSDEC would want construction to occur in the warmer months(eg. june thru october) since tiger salamanders would be least likely to be in the water at this time and would more like be in moist upland areas. Certain precautions would need to be taken such as special nets which would prevent tiger salamanders from entering the area during construction.
6. NYSDEC did state that they would be supportive of cutting back the slope and would minimize paperwork and redtape if the Navy chose that alternative. The Navy would NOT need to do a Wetlands Function and Values assessment and would NOT need to do a phragmites control program.
7. NYSDEC also stated that they were still concerned about chemicals leaching into the groundwater and that there still might be unknown chemicals in the landfill which might present a future problem. Steve said that some of the chemical concentrations reported for this site would normally be required to be in a lined landfill.

Personal Opinion: Based on our phone conversation, Steve Lorence appeared to be a very reasonable person that you could work with. It sounds like we need to add the third option of cutting back the slope to the CMS. It might also be prudent to get an understanding of what the state is going to require for remediation of the whole site and not just the face and sinkholes. If the only option they will accept is removal of the landfill then stabilizing the face now may not make sense.

Note: Steve Lorence's phone number : 6
e-mail:

Subject: Comments on EE/CA for Northeast Disposal Area: NWIRP Calverton Dated December 1999

General: In General, the Document is well written and logical.

Editorial Comments:

- on title page please insert the Site name "Northeast Pond Disposal Area"
- Page 4-9, 2nd full paragraph, Add "s" after the word "regulation". Same comment on page 4-17, 2nd paragraph
- ARAR table 3-2, page 3-8, first ARAR under rationale column , next to last line , add the word "where" after "else"

Page 2-7: Although this information may have been present in previous reports, we need to be careful about stressing in this and all future reports. For example, we do not want to state that fill could be classified as a hazardous waste landfill (first bullet). This would provide regulators with the authority to require certain actions (such as RCRA C cap or removal) regardless of the actual volume of regulated materials. At the very least, extensive sampling might be required to demonstrate that Hazardous Waste is NOT present or for hotspot determination. This may be a moot point anyway since this landfill was active after 1980 and may be subject to certain closure requirements

We definitely do NOT want to classify any waste as listed (e.g. F-listed) since the landfill may then be classified as a listed hazardous waste landfill that may require removal to "detections" of F-listed components. In order for something to be F-Listed, there has to be a paper trail that links a particular waste in a particular drum to a specific Process. The drum of solvent in the landfill would need to meet this requirement or a sworn statement from plant personnel that they have specific knowledge that that specific drum came from a specific process.

Page 3-2, sect 3.2: Do we need to mention that this action is likely to be consistent with the final action. Will this action be consistent if removal is required later?

ARARS Tables, page 3-9 (NY Solid Waste Management Laws); 3-10 (NY Identification and listing of Hazardous Wastes Regulations); 3-11 (NY Land Disposal Restrictions Regulations): Same comment as for page 2-7.

Page 3-13, section 3.5.1: Under the NO Action Alternative, it could be mentioned that sinkholes also increase rainwater infiltration through the landfill waste materials.

Page 3-15, next to last paragraph, last line, define "bleed water"

General: The reader does not really have a feel for the number and size of sinkholes present. Are there any photos or estimates of this information.

Page 3-18: last paragraph. The justification for contaminated sediment removal is good (since it should be removed anyway). Isn't it also possible, however, that sheet piling be installed at the base to resist this potential slope failure. The piling could be cut low and covered so as not to be seen after the slope is graded.

Page 3-24: Grouting is listed as both being retained and not retained for consideration.

Page 4-4 and 4-5: There might be a concern that the cut material should not be used as fill (i.e. filling in a wetland with impacted soils).

Appendix A page 2-2. What is the basis for the slope safety factor of 1.2?

Cost table for alternative 3, Appendix B: double printing strike at bottom of page needs correcting.